

REMARKS

Claims 1-10 and 19-36 are pending in the application

The action objected to the specification in view of several obvious typographical errors, which are corrected by the foregoing amendments to the specification and drawings. Various reference numerals are corrected in the specification, and FIG. 4 is amended for the purpose of having consistent reference numeral usage. No new matter is added. The applicant submits the objections are overcome, and respectfully request the objection be withdrawn.

The claims stand rejected as being either anticipated by van Halteren et al US 6,044,972 ("van Halteren") or as being unpatentable over van Halteren taken alone or in various combinations as indicated in the action. The applicant respectfully traverses the rejections and requests reconsideration.

Claim 1 requires, among other things, "at least one internal ground ... [that] provides a ground path between the cover and the base." The action alleges van Halteren teaches this structure, and the applicants respectfully disagree. The action points particularly to FIGs. 1A and 1B, col 2, lines 65-67 and col. 3, lines 24-41 and 62-67, see page 3, lines 1-3 thereof. However, FIGs. 1A and 1B do not even show or reference a cover. The citations to the specification also do not discuss or refer to the cover or any form of ground coupling between the cover and any other portion of the microphone assembly. As such, to the extent the action relies on this teaching contained in van Halteren, the action fails to make out a *prima facie* case of anticipation. Simply put, van Halteren fails to teach each and every limitation of claim 1 as required for the reference to anticipate the claim. While other figures and discussion contained within van Halteren illustrate and refer to a cover for the microphone assembly, i.e., cover 11, nowhere in van Halteren is there taught or suggested an internal ground forming a ground path between the cover and the base. Thus, van Halteren cannot render the claim unpatentable.

For at least the foregoing reasons, the applicant submits that claim 1 is allowable over van Halteren. It follows, therefore, that claims 2-6, dependent from claim 1 are also allowable. Such action is requested.

Claim 7 recites, among other things, a first internal ground that couples to the microphone housing cover and an external ground. The microphone further includes a second internal ground, wherein the first internal ground and the second internal ground cooperate within the microphone housing base and the microphone housing cover to suppress radio frequency interference. As noted above, the FIGS. 1A and 1B and the cited passages of van Halteren do not show or discuss a cover. While FIG. 2 does show a cover, there is no illustration of an internal ground that couples to the cover, nor is there any discussion of such an internal ground contained in van Halteren in connection with FIG. 2 or otherwise. Therefore, van Halteren does teach a cover and a first internal ground between the cover and an external ground and cannot teach or suggest cooperation between the first internal ground and a second internal ground to suppress radio frequency interference. As such, to the extent the action relies on this teaching contained in van Halteren, the action fails to make out a *prima facie* case of anticipation. Simply put, van Halteren fails to teach each and every limitation of claim 7 as required for the reference to anticipate the claim. Furthermore, as van Halteren nowhere teaches or suggests a first internal ground that couples to the microphone housing, it cannot render the claim unpatentable.

For at least the foregoing reasons, the applicant submits that claim 7 is allowable over van Halteren. It follows, therefore, that claims 8-10, dependent from claim 7 are also allowable. Such action is requested.

Claim 19 recites among other things a first ground path coupling the preamplifier assembly, the mounting frame and the base. The applicant notes that FIGs. 2A-2C illustrate a microphone structure including various mechanical components of the microphone. Neither FIGs. 2A-2C nor the discussion accompanying these figures discuss any structure for ground coupling these components. FIGs. 1A and 1B illustrate and the corresponding discussion describes one or more ground connecting points, e.g., points 7 and 7'. These points are illustrated in FIGs. 1A and 1B schematically and couple to various circuit elements of the transducer. However, nowhere illustrated in FIGs. 1A and 1B nor in any portion of the specification associated therewith is there discussed a ground path coupling to a mounting frame and a base. The specification briefly references coupling the high-frequency ground connection 7' with the conducting housing 10, but explicitly fails to

teach or suggest any structure for accomplishing this coupling. As such, to the extent the action relies on this teaching contained in van Halteren, the action fails to make out a *prima facie* case of anticipation. Simply put, van Halteren fails to teach each and every limitation of claim 19 as required for the reference to anticipate the claim. Furthermore, as van Halteren nowhere teaches or suggests a first ground path that couples to the mounting frame and base, it cannot render the claim unpatentable.

For at least the foregoing reasons, the applicant submits that claim 19 is allowable over van Halteren. It follows, therefore, that claims 20-29, dependent from claim 19 are also allowable. Such action is requested.

Claim 30 is alleged to be unpatentable over van Halteren. Claim 30 recites, among other things, first, second and third ground paths, wherein the first ground path couples the preamplifier assembly, the mounting frame and the base; the second ground path couples the preamplifier and the cover and the third ground path couples the terminal, the mounting frame and the preamplifier assembly. Van Halteren nowhere teaches or suggests three distinct ground paths, as required by the claim. While van Halteren teaches coupling of a conductive housing to a terminal, it nowhere describes the manner of such coupling. It certainly cannot fairly be said to suggest multiple distinct ground paths coupling transducer housing components as set forth in the claim. To the extent the examiner states it would be obvious to modify van Halteren to meet the limitations set forth in the claim, it is believed such a statement can only find its foundation in the applicant's own disclosure and is thus an impermissible use of hindsight. Van Halteren simply does not teach or suggest the claimed multiple, i.e., at least three, ground paths.

As such, to the extent the action relies on this teaching contained in van Halteren, the action fails to make out a *prima facie* case of obviousness against claim 30. For at least the foregoing reasons, the applicant submits that claim 30 is allowable over van Halteren. It follows, therefore, that claims 31-36, dependent from claim 30 are also allowable. Such action is requested.

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In view of the above amendment, applicant believes the pending application is
in condition for allowance.

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Respectfully submitted,

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Attachments